

REMARKS

Claim 31-35, 37-42, 44-48, and 52-56 are pending in the application and stand rejected. In the present amendment, Applicants have amended the claims to correct typographical issues and to more clearly recite the claimed subject matter. Entry of the present amendment and further examination of the present application in view of the following remarks is hereby requested.

Interview

Applicants' undersigned attorney wishes to thank Examiner Graham for the opportunity, on January 21, 2010, to conduct a telephonic interview regarding the pending Application. During the interview, Applicants' representative explained the pending claims and their distinctions over the cited references. The Examiner agreed to reconsider the rejection and to contact the undersigned after further reconsideration. Should the Examiner have any questions or concerns that might be efficiently resolved by way of a telephonic interview, the Examiner is invited to call Applicants' undersigned attorney at 206-903-2474.

Claim Rejections – 35 USC § 103

Claims 31-35, 37-42, 44-48, and 52-56 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Kramer et al. U.S. Patent No. 6,324,525 (hereinafter Kramer) in view of Shkedy U.S. Patent 6,236,972 (hereinafter Shkedy). Applicants traverse this ground of rejection and request reconsideration.

Regarding claim 31, the Examiner contends that Kramer discloses:

receiving, at the server, a request, from a remote device, for a specific electronic receipt associated with a specific receipt card account number from accessing, at the server, one of the receipts, from a database of electronic receipts, that is associated with the specific receipt card account number

and

wherein the database is coupled to the server, and wherein each receipt is associated with, a receipt card account number, and a receipt card that identifies an electronic address of the database and information that

identifies the receipt card account number, wherein the receipt card account number associated with a receipt card account is not a payment account, and wherein each receipt includes a list of items purchased during a financial transaction, and unique transaction identification information for each transaction,

as previously recited. The Examiner cites Kramer column 103 lines 7-10 and lines 32-48, column 88 lines 24-28, column 92 lines 49-53, and column 102 lines 31-45 in rejecting the claim (Office Action page 2). Applicants respectfully disagree.

Kramer discloses the consummation of electronic transactions between electronic devices (see Abstract). The transactions are settled using a transfer of monetary value, which requires the use of a third-party settlement service. While the cited passages indicate that transaction records can be stored, the Examiner has not addressed at least the following features recited in claim 31:

1. “receiving...a request...for a specific electronic receipt associated with a specific receipt card account number.” Kramer does not disclose specific electronic receipts associated with specific receipt card account numbers.

2. “each receipt is associated with...a receipt card that identifies an electronic address of the database and information that identifies the receipt card account number.” Kramer does not disclose receipt cards, let alone receipt card account numbers.

The Examiner has therefore not considered all of the claimed features as provided by MPEP 2143.03.

Applicants further submit that the Examiner has not fully appreciated the features of claim 31. MPEP 2106.II.C provides that “USPTO personnel may not dissect a claimed invention into discrete elements and then evaluate the elements in isolation. Instead, the claim as a whole must be considered.” Claim 31 recites a “method of providing electronic receipts to a remote device.” The claim recites various features of electronic receipts, receipt card account numbers, and a receipt card that identifies an electronic address of a database and information that identifies the receipt card account number. Kramer, on the other hand, is directed to a system for consummating electronic transactions by transferring monetary value through a third party settlement service. Kramer thus seems to entirely miss the scope of claim 31. Furthermore, in contrast to the teachings of Kramer, claim 31 specifically recited

“wherein the receipt card account number associated with a receipt card account is not a payment account” (emphasis added). Claim 31 thus operates differently from the system of Kramer.

The Examiner cites Shkedy because “Kramer fail to explicitly teach and transmitting, from the server to said remote device, information indicative of said specific electronic receipt” (Office Action page 2). However, the Examiner has not shown how Shkedy cures the deficiencies of Kramer noted above.

For at least the above reasons, Applicants submit that claim 31 is not rendered obvious by Kramer alone or in combination with Shkedy. The Examiner has rejected claims 38, 45, 52, 54 and 55 for similar reasons. As claims 38, 45, 52, 54 and 55 recite similar features as claim 31, Applicants submit that the cited combination fails to disclose or suggest claims 38, 45, 52, 54 and 55. Since the combination fails to disclose all of the elements of the independent claims, dependent Claims 32-35, 37, 39-42, 44, 46-48, 53, and 56 cannot be rendered obvious by the cited combination per MPEP §2143.03. Applicants respectfully request reconsideration and withdrawal of the 35 USC §103 rejection.

Applicants do not concede the propriety of the Examiner’s rejection, but have amended claim 31 to more clearly recite the claimed subject matter.

CONCLUSION

In light of the amendments and comments contained herein, Applicants submit that the application is in condition for allowance, for which early action is requested.

Date: March 1, 2010

/Han Gim/
Han Gim
Registration No. 62,953

Woodcock Washburn LLP
Cira Centre
2929 Arch Street, 12th Floor
Philadelphia, PA 19104-2891
Telephone: (215) 568-3100
Facsimile: (215) 568-3439